

Agriculture, Fish, & Water (AFW)
Field Office Technical Guide (FOTG) Executive Committee Meeting # 13
Friday, September 28, 2001
Ellensburg Inn, Ellensburg

Note: These draft minutes are gross representations of the meeting and no party is binding to any accountability of the minutes.

1. Welcome/Introductions

Tim Thompson called the meeting to order at 8:40am. Introductions were made. Thompson revised the agenda to accommodate an AG caucus presentation. Draft minutes of the May 10th and August 23rd FOTG EC meetings were tabled by Gretchen Borck, she stated that corrections would be made later during this meeting. Thompson stated his appreciation of the atmosphere at the last FOTG EC meeting – he would like to continue this atmosphere at today's meeting. Thompson updated the group on the assignments that are to be presented at this meeting – providing edits to the proposed options package, suggestions on waterway classifications from the AG caucus, areas in the waterway classification where the State and Federal caucus can demonstrate flexibility. Thompson recommended keeping former president Teddy Roosevelt in mind before speaking at today's meeting since he was a great conservationist and leader.

2. Integrated Technical Team (ITT) Update

Jim Muck presented an ITT update with overheads and a handout. He visually showed how implementation of a farm plan is part of the section 7 consultation. Muck stated that the ITT is 80% complete with the Agricultural Watercourse Maintenance Policy Guidelines for Northwest Washington (AWC) document. There has been major re-work on watercourse classification, v-ditches, and chapter 6 (adaptive management). It is forecast that the document may be complete by December 2001. Some critical policy items for today's discussion are watercourse classifications, v-ditches, public disclosure and privacy, riparian forest buffers. Some policy items for future discussion are AWC practices vs. individual practices for consultation and fish passage. Muck then offered an outline of the progress of each individual chapter in the AWC document. He presented a mapping example that could possibly be used in the future. Two handouts that list the FOTG practices the ITT has been focusing on for this consultation were outlined.

Chris Cheney asked for a list of proposed changes to individual FOTGs. Muck stated that the FOTGs reviewed by the ITT have all been changed. Frank Easter stated that the "dates reviewed" column on the practice review handout gives an indication of how much the practices have changed. Cheney requested that copies of all the amended FOTGs be made available at the next Executive Committee meeting.

Muck then presented the policy issues involved with specific chapters in the document.

1 Chapter 3 – “How will ‘current conditions’ and ‘historical character’ of watercourses
2 be integrated into the final watercourse classification table?”

3 Paul LaCroix stated that there is a deeper difference than semantics between the terms
4 ditches and watercourses. LaCroix has an underlying fear that the term "modified
5 watercourse" will require fish presence. He would prefer to classify waterways inside
6 the tide gate as ditches. LaCroix stated that the drainage system would not exist if
7 agriculturists were not maintaining it. Thompson asked if concern over nomenclature
8 stems from the current vs. historic conditions or from the prescriptions that would be
9 applied to the waterway. LaCroix stated that the underlying issue stems from the
10 prescriptions that would be applied on the waterway. Muck stated that he would like
11 to objectively identify watercourses. Prescriptions are a recovery plan issue. Muck
12 stated that to change the name from "natural modified watercourse" might preclude
13 recovery. Curt Smitch wanted to clear up the belief that the Endangered Species Act
14 (ESA) requires restoration. LaCroix stated that restoration should occur at the main
15 water system, he does not believe that AG lands can restore for the ESA, but this does
16 not preclude restoration. Dale Bambrick said this is not a discussion of historical vs.
17 present conditions because the watercourse matrix acknowledges historic conditions.
18 The intention is not to go back to pre-historic conditions. Bambrick said this debate
19 is about whether fish should be let into some water systems. He said that the ITT
20 should not wrestle with the feasibility of getting fish into systems with biological
21 benefits. He suggested determining a logical schedule to identify the fix in the
22 interim. Bambrick stated that the tide-gate issue makes most sense in a site-specific
23 context and the intent is not to take farms out of business. LaCroix would like this
24 agreement of intent written down. Smitch asked how screens (a fish access problem)
25 in Western Washington would be addressed, what the fundamental policy issue for
26 AG lands with barriers to fish is, and how the federal agencies define this. Dick
27 Wallace said that the Clean Water Act (CWA) is clear in its language - it's not trying
28 to push for conditions 150 years ago. He said the classification system acknowledges
29 everything from fully constructed to natural watercourses, different systems are
30 treated differently. Wallace stated that there is more flexibility this way. He stated
31 that the amount of restoration is tailored to the channel type. LaCroix said that water
32 quality behind the tide gates could improve but not to standards of the CWA or to
33 pre-historic conditions. He also stated that he is willing to mitigate for fish in places
34 other than the drainage system. Mike Poulson stated that as soon as fish are put into
35 the system than all bets are off for blockages and he provided the Coulee Dam as an
36 example. Wade Troutman asked how much consideration is put into who pays for
37 recovery and if there is a cost analysis. He stated that billions of dollars for fish
38 recovery were spent at Coulee Dam. Smitch stated that it is a current state policy to
39 compensate landowners for impacts of the ESA. The public process has an obligation
40 to make state money available to landowners for ESA impacts. Smitch added that it
41 is necessary to fix the issue of the waterway classifications. Ken Berg said that the
42 priorities are to determine the areas essential for recovery on the landscape, what
43 conditions those areas need to be in, and what actions need to be taken for recovery.
44 This will provide a blueprint to achieve species recovery. He said that once the
45 priorities are determined than discussion of funding would come in. Formal
46 obligations are a policy and potentially a legal discussion. Berg continued to say that

1 if one is not taking fish currently and not in need of a federal permit, one might not
2 have a formal obligation. In a broad context, everyone helps achieve recovery -
3 incentives and obligations meld. In regards to off-site restoration, feasibility would
4 be considered from a technical standpoint (generally through a recovery plan or a
5 recovery strategy) on a site-by-site (area and sub-area) basis. Berg stated that it
6 would be useful to have a technical and policy discussion to find common ground and
7 objectives. He also said that it is necessary to maintain and restore areas essential to
8 recover species.

9
10 LaCroix stated that the AG caucus would like to have and help work on a blueprint as
11 Berg stated above. Steve Meyer asked LaCroix if he would be comfortable
12 developing a system where some tide-gates stay and some tide gates go. LaCroix
13 said the reason farming occurs is because of tide-gates. He said that existing tide-
14 gates should stay in place. He added that tide-gates are owned collectively by
15 landowners in the drainage districts. LaCroix said an underlying assumption is when
16 the AFW agreement is done it will be taken to the legislature to request funding – he
17 does not anticipate the landowner paying much of the costs involved with AFW.

18
19 Smitch stated the issue is whether there is an obligation to address tide-gates. He
20 asked if it is considered take to operate a tide-gate (or screen) and not have water for
21 fish. Smitch said that tide-gates are essential to the wellbeing and livelihood of
22 farmers. LaCroix said the delta is constantly filling in, sloughs were part of the
23 natural drainage when the river could flood. The delta is now building itself outside
24 the dikes from the suspended solids of the river that now flows out. Landowners
25 scoop out these solids. Thompson said that the intent is not to remove tide gates – an
26 overall recovery plan for fish could look at alternative way to satisfy functions.

27
28 Muck stated that there are plans to map geographical areas to identify the waterway
29 classifications. Individual reviews are needed on tide-gates to determine individual
30 importance for recovery and the prescriptions necessary. Bambrick referred back to
31 the Coulee dam example. He stated that it went through a Section 7 consultation.
32 The Coulee dam was built 62 years ago, the fish that resided up there are gone. Off-
33 site measures were done to recover fish.

34
35 LaCroix stated that he has some off-site recovery ideas in mind instead of removing
36 tide-gates. Bambrick said it is important to be in agreement. He stated that he is not
37 going to put landowners out of business. Bambrick mentioned that the estuarine
38 habitat is essential for fish recovery.

39
40 Frank Easter said it doesn't matter what the watercourses are called, there are
41 physical limitations when providing recommendations to landowners on resource
42 conditions. Whatever is recommended has to improve baseline conditions for all
43 resources. Questions of high potential areas should not hold up the AFW process, but
44 whatever actions are taken should not preclude restoration goals. Bambrick said that
45 he agrees to maintain integrity of drainage network. Easter would like to help put

1 together a package with no surprises. Thompson is interested in a remedy and
2 suggested a brief caucus to determine where to go from here.

3 4 CAUCUS

5
6 Smitch stated that at this time the issue of estuarine areas is a live issue for biologists,
7 so tide-gate issues would not be taken off the table. The lower estuarine area,
8 including tide-gates, has to be left on the table for long term ESA recovery. Tide-
9 gates would be handled on a site-by-site basis. Smitch said if the operation of tide-
10 gates results in take this might be a section 9, not section 7. Smitch said that tide gates
11 are important, lower areas are critical, and modification for recovery is important.
12 Bambrick said that it is essential to improve passage conditions by evaluating the
13 whole landscape. Dan Wood asked about shorelines in cities, for landowner that
14 must maintain what's there (not build), how does this relate to maintain existing tide
15 gate? Smitch said that there is a difference between farmland, forestland, and built-up
16 land. Farmland falls between built-up lands and forestlands. If a landowner had a
17 home that was impeding fish migration this would need more discussion. Built
18 environments are not farmlands. Philip Morley wanted to clear up that while
19 improving tide gate for fish passage, the Services want to make sure that farmlands
20 are not inundated or compromised. Morley has heard that saltwater intrusion could
21 cause problems (salinization) with farmlands, and wants to check this with LaCroix.
22 LaCroix said during fish passage, smolts move between fresh and saltwater through
23 tide-gates - this could cause saltwater to pass as well. Farmlands cannot survive with
24 salt on them. The effort of dikes and tide gates is intended to stop saltwater intrusion
25 because crops that are grown are not salt tolerant. LaCroix stated that the issue is not
26 a change of operations, the issue is about letting salt in. Even a little saltwater
27 intrusion is not good. Letting fish in means letting salt in and letting salt in means no
28 farming. LaCroix said that the tide-gates do not have to look like they do today, but
29 no salt can be let in. Smitch said that the goal is to have minimum or no impact on
30 current farms and to recover fish. This issue is not ready to be taken off the table
31 once and for all. Smitch believes there are opportunities for other methods – science
32 needs a range. This issue does not apply to the majority of lands, just for some key
33 areas. In order to move to the next stage Smitch understands the importance of the
34 AG caucus wanting a write-up. Thompson said that the write up could first recognize
35 built or altered land, second it could state that estuarine habitat is vital for fish
36 salmonids, and third the resource agencies would evaluate tide gates in cooperation
37 with ag community to minimize take.

38
39 LaCroix needs something on paper for the AG Caucus to come to an agreement.
40 Betty Sue Morris commented that Washington State has made agricultural lands a
41 priority through the Growth Management Act (GMA). Any of these lands that lose
42 their commercial viability would have to be re-classified different from agricultural
43 lands. Governments are required to protect agricultural lands; this is a factor that
44 cannot be overlooked in this discussion. It is a last resort to take out tide-gates to
45 accommodate fish. The State holds that agricultural lands are valuable and are to be
46 protected. Tom Eaton stated that the purpose of AFW is not to develop a regulatory

1 plan. AFW is meant to provide a voluntary program with assurances for carrying out
2 actions. LaCroix stated that drainage districts, not individual farmers, own tide-gates.
3 He said that discussions of "no further harm" ooze out to discussions of "recovery".
4 He would like to stay away from recovery. LaCroix said the AG caucus cannot agree
5 to AFW if it keeps moving towards recovery. He would like a blueprint to outline the
6 road ahead. Smitch said that in the blueprint he would like to include that tide-gates
7 are removed as last resort to other alternatives. Wood would like to seek funding and
8 authorization from the legislature on studies related to tide-gates. Wood wants to keep
9 the issue of assurances separate from tide-gate studies, which could invite
10 unnecessary hammering that does not benefit fish. Sara Hemphill feels that a
11 checklist would be beneficial. It could include who is delegated responsibility, what
12 would happen, and who would pay.

13
14 Smitch stated past experiences reveal there is less chance for funding if only part of a
15 package is brought to the legislature. The more chance the legislature is not going to
16 deal with the same issue again the more chance it will be funded. Thompson added
17 that state and federal funding would be sought. He stipulated that payment would not
18 go to the landowner.

19
20 Easter suggested including in the tide-gate language the need for other potential areas
21 that could be a part of the estuarine habitat that may not include tide-gates (drainage
22 district). Thompson proposed to write up the tide-gate language and get back to the
23 ITT to meet acceptable needs. Smitch said the caveat is the ITT does not re-write the
24 language – the Executive Committee is the policy body. Thompson stated that five
25 years seems a reasonable time to evaluate the plan. Smitch said that the five-year
26 timeline is a benchmark – not a holding pattern.

27
28 Easter continued to the next policy issue in chapter 5. "Will the proposed approach of
29 including specific FOTG practices in a farm plan to mitigate V-Ditch impacts be
30 acceptable to the agencies and landowners?"

31
32 Easter stated the recognition of the historical use of v-ditches and the importance of
33 v-ditches for growing crops, particularly in the Skagit delta. There is also recognition
34 that some work has been done on the impacts of v-ditches on water quality. Based on
35 an issue paper of the use of v-ditches, farmers feel that the use of v-ditches is
36 necessary. It is recognized in the planning process with the landowner that potential
37 impacts would be covered as part of the farm plan. V-ditches would be coupled with
38 the adaptive management process. Easter said that the issue paper would be used as
39 guidance for farm plans that currently use v-ditches.

40
41 LaCroix stated that he does not agree with the six-year timeframe. He would like to
42 make v-ditches better and would like to leave approval open ended, subject to
43 adaptive management. LaCroix said the language reads that at the end of the six-year
44 timeframe a decision would be made on whether modified use of v-ditches should
45 continue or not (referenced p. 100 in the 9/26/01 AWC draft). LaCroix said that six-
46 years might not be appropriate.

Wallace said that the 6-year timeframe is a milestone to determine Best Management Practices (BMP) on v-ditches - v-ditches do not have to go away. Eaton said that he could not sign off on an open-ended agreement. A 6-year check-in point is needed. Wade Troutman suggested inserting the word "reviewed" into the 6-year timeframe language on v-ditches. Karen Poulsen stated that there is no definition for v-ditch in the definition section of the document. Muck said that the definition of v-ditches is printed on page 99 of the AWC 9-26-01 draft. Poulsen asked if this definition of v-ditch would be changed elsewhere in the state or if it would be transferred to the rest of Washington. Uses of v-ditches in Western Washington differ from Eastern Washington. Easter said that the definition might be different depending on location and depth, since v-ditches could impact ground water. Poulsen would like to make sure that there's a distinction in the definition depending on location. Wallace suggested if available information was not adequate at the end of the timeframe, then a new timeframe would be set. The Clean Water Act requires a review of standards based on new information. LaCroix objected to particularly picking out the v-ditch practice. Wallace said that all practices on a farm are looked at. Farm plans as a whole need to address water quality as well. LaCroix suggested reviewing the practice of v-ditches in conjunction with clean water standards. Easter said that overall plans have annual reviews. Wallace said that there would be no problem reviewing v-ditches along with the other practices. Eaton added that the purpose of the v-ditch timeframe is to determine which BMPs are effective and practical for farmers. LaCroix said that v-ditches *may* cause water quality problems - the blanket condemnation of v-ditches is not necessarily accurate. Wallace asked if the AG caucus would like the review of v-ditches at same time as the review of the other practices. LaCroix stated that he would have to check with the rest of the AG caucus. Curtis Johnson was introduced to the table. He said if the v-ditch process is eliminated, a process he needs on his farm, he would be thrown out of business. Wallace said that this is not what he is saying or what he is intending. It needs to be determined if the BMPs are adequate for water quality. Thompson said that the group needs to determine what would be done if a problem in the practice arose, what would the potential actions and adaptive management involve. The goal is to be in compliance. Poulsen said that state standards have gotten lower and lower. At one point standards could be feasibly met, now they can't. She also stated that there are some basic problems in the timing windows. Thompson said that due to agreement the sentence that states that there is a 6-year timeframe would be removed. Morley suggested folding in the effectiveness evaluation of the v-ditch issue with the rest of the plan. A timeframe for the effectiveness evaluation should be determined. Wallace said that it is not possible to adopt standards that do not help beneficial uses. If BMPs meet standards then they do not need to change. Eaton stated that BMPs for v-ditches do not have agreed upon standards. Meyer suggested discussing other practices to move water off farm fields and protect viability. LaCroix stated he has discussed this with ITT before. Topics discussed with the ITT included tiles, varying degrees of urgency for v-ditch, and how soon to get ground in springtime. LaCroix said that alternatives to v-ditches have not been determined. Meyer offered to place the focus on surface drainage rather than v-ditches.

1
2 BREAK

3
4 LaCroix said the AG caucus is concerned of needing more permits than necessary.
5 He would like to make a separate watercourse classification for agricultural lands
6 based on the current status. C. Johnson said there is no difference of waters behind
7 the tide-gate - why have two different classifications? Muck said that by changing the
8 classification it could preclude recovery. C. Johnson said that 30,000 acres would
9 flood if the tide-gates were removed. The same delta that would be there just moved
10 west, the estuarine habitat is there. Wallace drew a visual example of a waterway
11 scenario. He said the classification system should reflect the differences between
12 streams. Easter said that physical functions are the same regardless of the stream.
13 Wallace said that sinuous streams provide most functions for different life stages of
14 fish. Morris asked for clarification of the diagram - how does this apply to the AWC
15 manual. Muck answered the question and defined the classifications on the diagram.
16 Muck discussed the differences between the constructed waterways and ditches. Berg
17 reminded the group that the waterway classification is for Western Washington, not
18 just the Skagit area. He said that USFWS is looking to fine-tune the classification.

19
20 Thompson stated that some issues to deal with are: the prescriptions on waterways
21 (legal and biological consequences); historic baseline as recovery effort; and
22 classifying ditches as constructed watercourses. Bambrick said that the difference
23 between using the term ditches and constructed watercourses is to protect the
24 landowner in relation to buffer issues. C. Johnson offered his view - he does not think
25 fish are compatible with farming.

26
27 Thompson suggested a 15-minute caucus to discuss the watercourse issue and
28 develop language. LaCroix requested that the tide-gate language that was developed
29 by Thompson and edited by the AG caucus during the last break be passed out for
30 discussion. Muck stated the language would be inserted in chapter 3 in the
31 introduction or in the modified watercourse section. Thompson went over the
32 language with the table. Meyer requested that the following sentence in the tide-gate
33 language change to, "Removal or substantial modification of the tide gates that
34 impact existing farmlands should be considered ~~only after~~ in conjunction with all
35 other fish protection measures ~~have been explored~~." C. Johnson would like to add
36 language stating that if tide-gates should be removed, farmers would be compensated
37 fully.

38
39 CAUCUS

40
41 LaCroix asked to postpone the language on tide-gates. The Ag Caucus will provide
42 tide-gate language to the Executive Committee by October 15th. LaCroix said the AG
43 Caucus requests that the watercourse classification be pulled off the table. He
44 requested to move to other items on the agenda - the overview of last meetings'
45 minutes and the state presentation on the options proposal.
46

1 Thompson requested that the overview of minutes be saved for next meeting. He also
2 stated that the meeting minutes are not literal, they are just representations and are not
3 to be held accountable.

4
5 Borck passed out revisions made to the May and August Executive Committee
6 meeting minutes. She briefly discussed the changes made and requested the table to
7 review the revisions and provide comments at next FOTG Executive Committee
8 meeting.

9
10 **Action Items:**

- 11 • **The ITT** will provide copies of all the amended FOTG practices at the next
12 FOTG Executive Committee meeting.
- 13 • **The AG Caucus** will provide the Executive Committee tide-gate language by
14 October 15th.
- 15 • **Tim Thompson** proposed to write-up tide gate language and get it to the ITT for
16 review.
- 17 • **Paul LaCroix** requested that the **Executive Committee** write down language for
18 an agreement on tide gates.

19
20 **3. AG Caucus**

21 Cheney presented the AG Caucus response to the options package. A handout titled
22 "Ag Caucus response to the 6-month proposal" was passed out. He said that
23 agriculturists are having a hard time understanding how they are different from built
24 up lands. He explained the information on the handout. Cheney stated that to make
25 AFW work there has to be buy-off from landowners. He feels that agricultural
26 landowners will be able to help with recovery, but they need to have something to
27 take back home. When do agencies want to see results? There is a need for
28 incremental things to get done sooner than later. Cheney said that it doesn't matter
29 how dedicated the Conservation Districts and the Commission are, it takes time to
30 make farm plans. Cheney reminded the table that two years and two weeks ago was
31 the first AFW meeting. He suggested that that the group should not be trying to bite
32 off all these tasks. Jim Hazen reminded the table of the importance of the core values
33 and guidelines that were prepared when the process first started - to find agreement.
34 Poulson stated that the group should remember that each of the AG caucus members
35 represents a constituency. Outside of this group there are many other issues going on,
36 such as salmon return, Alsea (Oregon) case, and the critical habitat process. Cheney
37 said that certainty is another issue. Cheney said that a problem with the AG Caucus is
38 that the NW representatives have gone further than the rest of the AG caucus and they
39 are uncomfortable with this. Borck hopes that today's meeting has started a new
40 chapter. She hopes to have better communication and to move forward. Eaton asked
41 if the AG caucus' position is to just include the ESA in this process, not the CWA.
42 The original purpose of the AFW group is to tackle both the CWA and the ESA. If
43 the AG Caucus just wants to shrink to the ESA, Eaton said that he would bow out of
44 the process. Jim Hazen said that the AG Caucus does not want to address the CWA
45 in AFW. The AG Caucus reaffirmed they no longer want to address the CWA.
46 Poulson said there is strength in the CWA, but the AG Caucus is trying to narrow

1 down the tasks to take steps forward. Thompson stated that the AG Caucus'
2 perspective is important to hear. He suggested the other parties offer questions to the
3 AG Caucus and then to move to state response to the options package. Berg said that
4 during the discussion he heard it's time to start a new chapter and that the greater AG
5 Caucus feels that the NW representatives have moved further than the rest of the AG
6 caucus is comfortable with. He asked what the new chapter represents. Borck said
7 that several chapters have been opened through education and tours and putting things
8 on the table. She said that the NW representatives have been meeting with the FOTG
9 group more frequently than the rest of the AG Caucus - they have gotten more
10 information than the rest of the group. Cheney expressed discomfort on the lack of
11 even knowledge on the AFW process. Morris asked Cheney what he would consider
12 progress. Cheney said a concise, outlined plan that would cause the least impact on
13 private property and day-to-day operations. Borck would like to give farmers credit
14 for what has been accomplished in past years. Poulson would like to make it clear
15 what take is. Wood asked if the AG caucus feels that there is potential for agreement
16 on the AWC document. Cheney stated that there are high hopes, although there are
17 stumbling blocks. Borck and Poulson stated that the AG caucus is not pulling out of
18 this process. Gordon stated that there would be three things in a perfect world: 1) a lot
19 of farmers would like to have credit for providing habitat to species – they are
20 surprised that so much emphasis is placed on one ESA listed species. 2) Provide
21 more direction on how to fulfill responsibilities – more important than money.
22 Sometimes too much emphasis is placed on money. 3) A recovery package with a full
23 meal deal that states critical areas.

24
25 Thompson moved the table to the state proposal on the options package. The state
26 proposal has already been discussed with the County and Federal Caucuses.

27 28 **4. State caucus**

29 Wallace passed out a copy of the state perspective on the options package that John
30 Mankowski wrote up. Wallace led the group through the handout. Morris stated that
31 the proposal presented here is less demanding than the GMA has proposed for
32 counties in September 2002.

33
34 Berg stated that more time is needed for the Federal caucus to determine how the
35 proposal works with section 7 consultation and the buffer table. Bambrick stated that
36 the comments he had on the state proposal have not been incorporated yet. Trying to
37 fit option 2 in with section 7 consultation is difficult. Wallace clarified that the
38 referenced numbers in option 2 are from the State and Federal matrix.

39
40 Borck would like to move forward by learning what the constraints the Federal
41 Caucus faces so that the group can move forward to a compromise. Cheney stated
42 that the plans do not address perennial crop growers.

43
44 Troutman spoke from the Conservation District perspective. He said districts are
45 willing to work and lean toward section 7 consultation on farm plans. He said that
46 there are about 60 species listed in his county, only some are fish. He would like a

1 full meal deal that provides a holistic approach to the whole farm plan, by balancing
2 economic and environmental needs and providing protection to people. Troutman
3 continued to say that fish are the priority now, but that may drop down. Berg offered
4 good news by stating that USFWS granted financial awards on September 21st for
5 people working on multi-species HCPs.

6 7 **5. Wrap Up**

8 Thompson said the AG caucus and State Caucus proposals on the options package
9 could fit together. He stated the importance for the AG Caucus to provide a
10 suggested approach to the eastside waterway classification at the next EC meeting.
11 Thompson stated that the AFW process is at a critical point - and the future depends
12 on the actions on the options package.

13
14 Smitch stated that the proposal put forth by the AG Caucus is a statement of principal.
15 He said that the State Caucus proposal's approach does not assure ESA compliance
16 except for option 3. Smitch said that the group is at the crossroads, and does not think
17 there has been a lot of progress made.

18
19 Thompson would like recommendations from the ITT group. Hazen said he isn't
20 speaking for the AG Caucus. His perception is there's not a lot of room for
21 negotiation from the State.

22
23 Smitch said that he wants to negotiate. He said the State does not want to put
24 agriculture out of business - agriculture is an important part of the economy. He
25 reminded the group that there is a March 2002 timeline on CREP money that awaits
26 the AFW recommendations on riparian buffer standards. Smitch said that he doesn't
27 sense the group is having serious negotiations and discussions. It does not help to
28 keep discussing what is best, available, and relevant. He recommended to put
29 substantive issues on the table and to negotiate. Thompson would like the group to
30 respond to the substance of both proposals.

31
32 Borck asked if issues outside the process could be applied to move the AFW process
33 forward. She is not expecting an answer today but would like to know what the
34 Federal, State, and County caucuses think of how this process will be effected and
35 how this process would effect other processes and issues outside the table.

36 Thompson said historical issues need to be looked at. He said that it is impossible to
37 determine what will happen in regards to listed species and this should not lead to
38 inaction. Thompson asked to keep option one in the proposal - people can render
39 their own decisions. Smitch referred back to Borck's question. There is a lot of
40 uncertainty and more is coming. Simply have to step back and let this sort out - all
41 decisions will be different in courts. He asked if the AFW table is a good place for the
42 caucuses to control their destiny or is it too uncertain? Borck would like to keep the
43 hope that what is done here counts. Morris said that it counts. If agreement is made
44 on the classifications and the buffer then that becomes the baseline. Bill Robinson
45 stated that he has been in this process for two years now. People at his own
46 organization have questioned his participation in the AFW process. He said that fish

1 and farming do work together. People have been fighting fish battles for many years
2 now. He said recovery occurs with the help of landowners. Agriculture counts and it
3 is part of community fabric. People are willing to get their hands dirty to move this
4 process forward. Wood offered a point to keep in mind. Even if there are no
5 threatened or endangered fish listings in Washington State, they still have to be
6 protected under the Critical Area Ordinance. He also said that the County Caucus has
7 some proposed changes to the State Caucus proposal.
8

9 Thompson said that the AFW funding discussion would be first on the agenda at the
10 next Executive Committee meeting. He brought the meeting to a close.
11

12 **Action Items for next FOTG EC meeting:**

13 **Thompson would like the caucuses to respond on the substance of both**
14 **proposals.**

15 **AG Caucus:** Incorporate philosophy and tenets into the suggested State Caucus
16 proposal. Provide a suggested approach to eastside waterway classifications.

17 **Federal Caucus:** Provide a response to the options plan and state response

18 **County Caucus:** Provide a response to the options plan and state response

19 **ITT:** tasked with continuing work on AWC manual and extend work to include
20 Practice 391 (riparian buffers)

21 **6-month Workgroup** will reconvene to plan a work schedule for the months October
22 through December.
23

24 The next FOTG EC meeting will meet in Grays Harbor County. Exact location to be
25 determined.
26

27 **Handouts:**

28 Meeting agenda

29 August 23rd FOTG EC draft minutes

30 ITT update

31 ITT Practice Review

32 ITT Expedited Review Practices

33 AFW Budget Summary

34 AWC guidelines document

35 Buffer Notes, July 2001

36 Seattle Post-Intelligencer Article: *Farm Spending may shift from subsidies to*
37 *conservation*

38 21 page decision by Judge Hogan - NMFS listing in Oregon

39 Summary of Alsea court decision in Oregon

40 Tide-gate language

41 AG Caucus Response

42 State Caucus response to the options package

43 Amendments made to the May and August Executive Committee meeting minutes
44

Attendees	Representing
Bambrick, Dale	NMFS
Berg, Ken	USFWS
Borck, Gretchen	WAWG
Bresler, Helen	Ecology
Brown, Lynn	Farmer/Conservation Commission
Chenev, Chris	Washington State Dairy Federation
Easter, Frank	NRCS
Eaton, Tom	EPA
Doenges, Rich	Skagit County
Dvckman, Claire	King County
George, Steven	Hop Growers
Gordon, Jay	Washington State Dairy Federation
Hamilton, Rod	FSA
Hazen, Jim	WSHA
Hemphill, Sara	NRC/King CD
Hudson, Tip	Washington Cattlemen's Association
Jensen, Martha	USFWS
Johnson, Curtis	WWAA
Johnson, Linda	WA Farm Bureau
Kelly, Carolyn	SCD
LaCroix, Paul	WWAA
Lowry, Rich	Clark County
Lund, Hertha	Washington State Farm Bureau
Meyer, Steve	WCC
Masterson, Ikuno	King County
Morley, Philip	Snohomish County
Morris, Betty Sue	WASAC/Clark County
Muck, Jim	USFWS
Nelson, Rick	WCA
Poulsen, Karen	Hav Growers
Poulson, Mike	Washington State Farm Bureau
Rice, Chuck	EPA
Robinson, Bill	Trout Unlimited
Roozen, John	WA Bulb/AFW ITT
Ruplev, Joel	Clark County
Smitch, Curt	Governor's Office
Stuhmiller, John	WA Senate
Thompson, Tim	Facilitator
Troutman, Wade	WACD
Tyler, John	Clark County
Wahbeh, Hibba	WCC
Wallace, Dick	Ecology
Wasserman, Larry	SSC
Wesen, Lyle R.	Dike & Drainage District Commissioner
Wood, Dan	WSAC
Zimmerman, Jim	WA State Grange